



Crl.O.P.No.22040 of 2024

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P.DHANABAL, J.

The petitioners who apprehend arrest for the alleged offences under Section 11(i)(iv) r/w 12,17 of POCSO Act and 296(b) and 351(2) of BNS Act in Crime No.67 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the victim girl was being teased and abused by the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners had not committed any offence as alleged and the petitioners had been falsely implicated in this case. He further submitted that the petitioners are ready and willing to furnish substantial sureties for their due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioners .



CrI.O.P.No.22040 of 2024

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the victim girl was abused by the petitioner and when the *de facto* complainant, the father of the victim girl questioned the petitioner about the same, he was threatened by the petitioner. He submitted that there are no previous cases as against the petitioners and also considering the gravity of offences, he opposed for grant of anticipatory bail to the petitioners .

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioners and that there are no previous cases as against the petitioners and further, taking into consideration of the fact that the statement of the victim girl under Section 183 (5) of the BNSS was also recorded, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Fast Track Mahila Court, Ariyalur*** on condition that the petitioners shall



Crl.O.P.No.22040 of 2024

execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only),

with two sureties, each for a like sum to the satisfaction of the respondent

police or the police officer who intends to arrest or to the satisfaction of

the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report **before the POCSO Court on every Monday at 10:30 a.m., for four days.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade then from disclosing such facts of the Court or to any police officer.

[c] the petitioners shall not leave India without the previous permission of the Court.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall make themselves available for interrogation by a police officer as and when required.



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CrI.O.P.No.22040 of 2024

P.DHANABAL, J.

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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***.

[g] If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

23.09.2024

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CrI.O.P.No.22040 of 2024